

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – PJP Gadwal, Mahabubnagar District – Pebbair (Mandal) – Srirangapur (V) – O.P.No.160/95 & batch - Sanction of Decretal charges of **Rs.8,22,679/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 719

DATE:16.09.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/1167/2008,
Dt:02.05.09 alongwith the letter of Spl.Collector, Bheema Project, MBNR.

O R D E R:

The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.160/1995 & batch pertaining to Srirangapur (V) Pebbair (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the lands to an extent of Ac.10.15 gts of land situated at Srirangapur (V) Pebbair (M) by fixing the market value @Rs.21,000/- per acre vide Award No.18/1994, dt:02.11.1994 for Flank Quarry purpose. Dis-satisfaction of the rate given by the LAO/SDC, LA Unit, PJP, Gadwal has filed their petitions U/sec.18 of the L.A.Act. The Sr.Civil Judge, Wanaparthy in its judgment dt:02.12.1999 and enhanced the market value from Rs.21,000/- to Rs.50,000/- per acre. Aggrieved by the orders of the Sr.Civil Judge, Wanaparthy, the SDC has filed an appeal in the Hon'ble High Court of A.P, Hyderabad. The Hon'ble H.C of A.P, Hyd has granted interim orders dt:23.03.2000 in respect of A.S.No.601/2000 & batch for payment of half of the decretal charges. Accordingly, an amount of Rs.4,45,265/- was sanctioned and the same was deposited in the court of the Sr.Civil Judge, Wanaparthy on 30.04.2004. Finally, the Hon'ble High Court of A.P, Hyd has confirmed the rate fixed by the Sr.Civil Judge, Wanaparthy on the basis of the judgment of the Hon'ble H.C of A.P, Hyd dt:22.02.2005 in A.S.No.834/2006 & batch, which was confirmed by the Hon'ble Supreme Court of India in SLP CC No.4156/2006, dt:03.07.06

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.8,22,679/- (Rupees Eight lakhs twenty two thousand six hundred and seventy nine only)** in respect of O.P.No.160/95 & batch pertaining to Srirangapur (V) Pebbair (M) of Mahabubnagar District may be agreed to subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante, shall be debitable to following Head of Account under "4701- SMJH – 01- Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – SH (27) – Canals and Distributaries – 530 - Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3512/F2(2)/2009-1, dated 10.09.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar.
The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.11126/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER